

ESTTA Tracking number: **ESTTA456300**

Filing date: **02/14/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91185261
Party	Plaintiff American Cigarette Company, Inc.
Correspondence Address	ROBERT C KAIN JR KAIN & ASSOCIATES ATTORNEYS AT LAW PA 900 SOUTHEAST 3RD AVENUE, SUITE 205 FORT LAUDERDALE, FL 33316 UNITED STATES rkain@complexip.com, dspielman@complexip.com, ekotler@complexip.com
Submission	Request to Withdraw as Attorney
Filer's Name	Robert C. Kain, Jr.
Filer's e-mail	rkain@complexip.com
Signature	/rck/
Date	02/14/2012
Attachments	Collection-Motion-to-withdraw.pdf ( 3 pages )(49660 bytes ) Collection-Order-Motion-to-withdraw.pdf ( 1 page )(21792 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of application Serial No. 76/415,303 and 76/415,305

Mark: "UNION GOLD" and "U-UNION and Design"

American Cigarette Company, Inc.

Opposer/Plaintiff,

Opposition Nos. 91185261  
91186841

v.

N.V. Sumatra Tobacco Trading Company

Applicant/Defendant.

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**MOTION TO WITHDRAW**

Robert C. Kain, Jr, Esq. and Darren Spielman, Esq. and the firm Kain & Associates, Attorneys at Law, P.A. hereby move to withdrawal as counsel for opposer American Cigarette Company, Inc. There has arisen a conflict between counsel and opposer which requires counsel to withdrawal.

Due to the attorney-client privilege, counsel for opposer cannot reveal the nature of the conflict. Therefore, it would be futile for undersigned counsel to confer with opposing counsel prior to filing this motion as required by the Local Rules.

Opposer has been given notice of this motion as indicated on the service list.

WHEREFORE, counsel for opposer respectfully requests that the Court permit them to withdraw as counsel.

Dated: February 14, 2012

Respectfully submitted,

By: /Robert Kain/  
Robert C. Kain, Jr.

Florida Bar No. 266760

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Attorney for Opposer American Cigarette Company,  
Inc.

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 14<sup>th</sup> day of February, 2012, a true copy of the foregoing Opposer's Motion to Withdraw was served via email to the following:

Tara Vold  
J. Paul Williamson  
Fulbright & Jaworski L.L.P.  
801 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Tel: 202-662-0200  
Fax: 202-662-4643

/Robert Kain/

Robert C. Kain, Jr.

## **SERVICE LIST**

Barry G. Roderman and Associates, P.A.  
500 West Cypress Creek Rd., Suite 550  
Ft. Lauderdale, Florida 33309  
Phone: (954) 761-8810  
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Louis R. Gigliotti, PA  
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TRADEMARKS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of application Serial No. 76/415,303 and 76/415,305

Mark: "UNION GOLD" and "U-UNION and Design"

American Cigarette Company, Inc.

Opposer/Plaintiff,

Opposition Nos. 91185261  
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v.

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Applicant/Defendant.

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**ORDER ON MOTION TO WITHDRAW**

This matter having come before the Court on opposer's motion to withdraw, and the Court having reviewed the file and being otherwise advised in the premises, it is hereby,

ORDER AND ADJUDGED that opposer's Motion to Withdraw is hereby GRANTED. Opposer shall have 10 days to locate additional counsel and file a notice of appearance on behalf of opposer.

DONE AND ORDERED in chambers, at \_\_\_\_\_, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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U.S. DISTRICT COURT JUDGE

cc: Tara Vold  
Basil Battah, Fax: 954-974-8784  
Robert C. Kain, Jr., Esq.